UNITED NATIONS

General Assembly

FIFTY-FIRST SESSION

Official Records

THIRD COMMITTEE
29th meeting
held on
Friday, 8 November 1996
at 10 a.m.
New York

SUMMARY RECORD OF THE 29th MEETING

Chairman: Mrs. ESPINOSA (Mexico)

CONTENTS

AGENDA ITEM 107: PROGRAMME OF ACTIVITIES OF THE INTERNATIONAL DECADE OF THE WORLD'S INDIGENOUS PEOPLE

AGENDA ITEM 103: ADVANCEMENT OF WOMEN (continued)

AGENDA ITEM 105: REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS (continued)

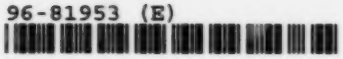
This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of the publication* to the Chief of the Official Records Editing Section, room DC2-794, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

Distr. GENERAL
A/C.3/51/SR.29
13 August 1997

ORIGINAL: ENGLISH

96-81953 (E)



The meeting was called to order at 10.10 a.m.

AGENDA ITEM 107: PROGRAMME OF ACTIVITIES OF THE INTERNATIONAL DECADE OF THE WORLD'S INDIGENOUS PEOPLE (A/51/293, A/51/493, A/51/499 and A/51/565)

1. The CHAIRMAN invited the Committee to begin its consideration of item 107, entitled "Programme of activities of the International Decade of the World's Indigenous People".

2. Mr. FALL (Assistant Secretary-General for Human Rights), introducing the agenda item, said that, as Coordinator of the International Decade of the World's Indigenous People, he would outline the activities undertaken during the past year in fulfilment of the goal of the Decade, namely, the strengthening of international cooperation for the solution of problems faced by indigenous people in such areas as human rights, the environment, development, education and health.

3. Pursuant to General Assembly resolution 50/157, an advisory group had been created to assist the Coordinator of the Decade. The group consisted of five members of the Board of Trustees of the Voluntary Fund for Indigenous Populations, the Chairman/Rapporteur of the Working Group on Indigenous Populations and a representative of the United Nations Development Programme (UNDP), cooperation with that body being essential to ensuring the follow-up of projects in the field. At the group's first meeting, it had been decided that resources should be allocated to six key areas, namely, implementation of the programme of activities for the Decade in relation to the Vienna Declaration and Programme of Action; ways and means of strengthening indigenous peoples' organizations; education and training in indigenous peoples' human rights; information on indigenous people and the Decade; exchanges of information between the United Nations system and indigenous peoples and among indigenous peoples themselves; and fund-raising activities for the Decade. The group had concluded that projects initiated within the framework of the Decade should be of direct benefit to indigenous populations and should be formulated in consultation with them. They should take account of gender balance and give priority to underdeveloped areas.

4. In September 1996, a workshop on the draft United Nations declaration on the rights of indigenous peoples had been held in Fiji. A joint project was being prepared, in collaboration with the United Nations Educational, Scientific and Cultural Organization (UNESCO), for providing human rights training to indigenous people in Peru and Ecuador. Following the workshop held in Copenhagen in June 1995 on the possible establishment of a permanent forum for indigenous people within the United Nations, a second workshop was being organized.

5. The open-ended working group of the Commission on Human Rights had held two sessions. At its first session, in November 1995, there had been a general exchange of views on the text of the draft declaration on the rights of indigenous peoples. At its second session, various articles of the draft declaration had been considered in detail. The Economic and Social Council had authorized 106 organizations of indigenous people to participate in the working group. In accordance with resolution 50/156, more than 20 representatives of

indigenous people had received financial assistance from the Voluntary Fund for Indigenous Populations to enable them to participate in the sessions.

6. Concerning the possible establishment of a permanent forum for indigenous people, questionnaires had been sent to all the organs and specialized agencies of the United Nations system to permit an analysis of existing United Nations mechanisms and programmes for indigenous people, and the views of Governments and organizations of indigenous people had been sought, as requested in resolution 50/157. The responses received were analysed in the Secretary-General's report (A/51/493).

7. At its most recent session, the Commission on Human Rights had included a specific item on indigenous people in its agenda for the first time. By so doing, it had enabled the 13 organizations of indigenous people in consultative status with the Economic and Social Council to raise matters of concern to them.

8. At its 1996 session, the Working Group on Indigenous Populations of the Subcommission on Prevention of Discrimination and Protection of Minorities had examined the issue of treaties between States and indigenous people and, in cooperation with the World Health Organization (WHO), the question of the health of indigenous populations.

9. At the second United Nations Conference on Human Settlements (Habitat II), two major events had highlighted the housing problems of indigenous people. First, a special plenary meeting had been devoted to the issue. Secondly, a round-table discussion had been held on the theme "Indigenous people, housing and land" and had considered the following issues: land, housing and the role of indigenous people in sustainable development; land, housing and the right of indigenous people to promote and preserve their culture; participation by indigenous people in decision-making with regard to land and housing; and coexistence between indigenous people and urban development. The ideas which emerged from those two events had been incorporated into the Habitat Agenda.

10. By October 1996, the Trust Fund for the Decade had received contributions from Governments, non-governmental organizations and private bodies totalling some US$ 268,000. The generosity of donors was to be applauded. The proclamation of the International Decade of the World's Indigenous People reflected the commitment of the international community to promoting and protecting the human rights of indigenous people, especially their economic, social and cultural well-being. The Fund's resources would be instrumental in achieving the goals of the Decade. He therefore appealed for continued contributions to the Fund.

11. Mrs. MORGAN (Mexico) said that her country was committed to building a new relationship with its indigenous communities, based on respect for differences and recognition of indigenous identities as essential components of Mexico's nationhood and legal system. The process of defining that new relationship had been intense. Mexican society and the Government were working with indigenous communities to build a nation enriched by full recognition of the country's cultural diversity and multi-ethnic roots.

12. Mexico was engaged in a process of amending the Constitution and the relevant laws in order to guarantee the rights of indigenous people, including

recognition of and respect for their customs and forms of social, political, economic and cultural organization. Expanding the participation of indigenous people in the country's political life, with full respect for their traditions, was also a priority of the legislative reform, as was ensuring their access to the system of justice.

13. Her Government was also committed to a comprehensive programme for meeting the basic needs of indigenous communities in the areas of health, education, food, housing, public services and communications. Teaching materials and textbooks were being published in 44 indigenous languages. The full participation of indigenous people in designing, implementing and evaluating individual programmes was an essential element of Government policy in that area. All levels of government and all sectors of society were working to fulfil an historic commitment. All countries with indigenous communities should recognize the rightness of indigenous culture and ensure the active participation of indigenous people in national development.

14. Mr. GARCÍA MORITÁN (Argentina) pledged his Government's sincere commitnent to the goals of the International Decade. Argentina had introduced important constitutional and legal amendments benefiting its own indigenous peoples, who had been actively involved in the drafting process. Besides enumerating the principal rights of indigenous people in Argentina, the constitutional amendments finally recognized the existence of indigenous populations prior to the establishment of the nation and its provincial governments. They also formalized the legal status of indigenous communities and guaranteed their right to ownership of the land on which they lived.

15. With the participation of representatives of different indigenous communities, a national plan for indigenous communities had recently been set in motion. A massive land-transfer programme had been launched, and an education and culture programme was promoting bilingual and intercultural education, access by indigenous students to formal education and the preservation of indigenous communities' traditions and customs. Lastly, a primary health care programme had been set up for indigenous communities to improve coverage while drawing on indigenous medicinal practices and training indigenous health workers.

16. Mr. SMITH (United States of America) said that the proclamation of the International Decade of the World's Indigenous People reflected the international community's growing awareness of the special problems faced by indigenous communities. In the United States, November 1996 had been declared National American Indian Heritage Month. America's native peoples had made a valuable contribution to American life, teaching their fellow countrymen that human society could thrive and prosper without destroying the environment and that diversity could be a source of strength.

17. In the past, indigenous people had been the victims of terrible atrocities. Vestiges of that past persisted in the form of racism, discrimination and paternalism. The United States was committed to overcoming those problems. There was broad agreement that self-governance was the most effective means by which indigenous communities could protect their rights and preserve their culture and heritage. Under the Constitution, American Indian and Alaska Native tribunal governments enjoyed a unique "government-to-government" relationship

with the federal Government. In addition, tribes had the right to make and enforce laws and administer justice; choose their own system of government; raise and educate their children; and maintain independent cultural and social identities. Tribal courts had criminal jurisdiction over tribal members and were empowered to adjudicate in civil disputes. Recognizing that viable tribal justice systems were an essential component of self-governance, the Departments of Justice and the Interior were providing the tribal courts with training and technical assistance. The Federal government agencies were also strengthening their policies of cooperation with tribal leaders.

18. In the past, Native Americans had been pressured to give up the practice of their religions and, in some cases, their most sacred places and objects and even the remains of their ancestors. It was not recognized that the First Amendment of the United Nations Constitution, guaranteeing freedom of religion, applied equally to Native Americans. That principle had been enshrined in new legislation and President Clinton had recently instructed all federal agencies to allow ceremonial use of Indian sacred sites by Indian religious practitioners.

19. His Government had undertaken various measures to improve health care and education for indigenous people. Currently, the Indian Health Service operated over 150 health facilities, including 40 hospitals, while an increasing number of Indian schools were directly controlled by tribal boards of education. Job-creation programmes and schemes to encourage Indian entrepreneurship had been initiated in order to promote economic empowerment.

20. His Government was also participating in a number of international initiatives involving indigenous people. Those included the newly established Arctic Council, a regional forum designed to promote cooperation in the circumpolar North. Indigenous organizations had been named permanent participants in the council.

21. He hoped that the Decade would serve to remind the world that cultural diversity was as vital as biodiversity. His Government pledged to continue its efforts, in partnership with indigenous people and their representatives.

22. Mr. PEDRAZA (Bolivia) said that his Government was continuing its process of political and social reform which benefited Bolivia's indigenous people directly. Indigenous and peasant communities were gradually increasing their participation in the political process and native-language education had been successfully introduced at the primary level in the Quechua, Aymará and Guaraní communities. The recent Administrative Decentralization Act provided a mechanism for indigenous and peasant communities to make their needs known to the central Government through local governments; other legal measures had brought indigenous people into the national social security system and formalized their territorial rights.

23. Despite the international community's growing interest in the situation of the world's indigenous people, the conditions in which they lived had not greatly improved. His delegation noted with concern the limited number of donors to the United Nations Voluntary Fund for Indigenous Populations, which meant that fewer representatives of indigenous peoples would be able to participate in the work of the open-ended working group. It called on the

international community and financial institutions to increase their support for the Fund and its vital activities.

24. Mr. FREEDMAN (International Labour Organisation (ILO)) said that since 1957, the ILO conventions had been the only international legal instruments to address the living and working conditions of indigenous and tribal peoples. The ILO approach to that question had evolved over time, however. The first instrument, adopted in 1957, had acknowledged the need to protect indigenous peoples but had taken an integrationist approach. By contrast, the most recent instrument, the Indigenous and Tribal Peoples Convention of 1989 (No. 169), recognized those peoples as distinctive communities within their national societies, having their own identify and traditions. Another fundamental change was the Convention's underlying premise that indigenous and tribal peoples should participate in the formulation of policies and programmes affecting them. The Convention covered such areas as land, education and training, recruitment and conditions of employment, handicrafts and rural industries, social security, health and means of communication. Thus far, 10 States, including two developed countries, had ratified the Convention. Countries with no indigenous population were being encouraged to consider how they might adapt their foreign assistance programmes to be of greater benefit to indigenous peoples.

25. In Guatemala, where a majority of the population was indigenous, the Government's recent ratification of the Convention was seen as a major step forward in the consolidation of peace, democracy and respect for human rights. Even in countries which had yet to ratify it, the Convention served as a tool for promoting discussion of the rights of indigenous people. The Parliament of the Russian Federation, for example, had been considering various practical measures to benefit the indigenous peoples of the north. The Convention reporting procedure suggested, but did not require, that Governments consult organizations of indigenous people in their country before preparing their reports on the implementation of the Convention. The Norwegian Government had invited the Parliament of the Sami people to comment on its report before it was submitted to ILO.

26. Recognizing the importance of inter-agency collaboration, ILO was strengthening its cooperation with a number of United Nations organizations and international and regional funding bodies, which were, in turn, taking the Convention as a framework for their own policies and programmes. Only by working closely and in partnership with indigenous communities could the international community come to understand their needs and respond effectively to them.

27. Mr. UQUILLAS (World Bank) said that while the participation of indigenous people in the planning and execution of projects financed by the World Bank had increased since 1982, there was a need for greater attention to legal issues bearing on land ownership, as well as for increased capacity on the Bank's part to follow up and evaluate projects involving indigenous people. As a result, the Bank had revised its lending procedures to include: (a) new criteria for identifying indigenous people that recognized and protected their rights; (b) emphasis both on protecting indigenous people from the adverse effects of development and on their right to participate in the development process; (c) incorporation of an indigenous perspective into such formal Bank procedures as environmental impact assessments, technical assistance and country and

sectoral analyses; and (d) the requirement that Bank-financed investment projects in indigenous population areas include an indigenous people development plan designed and implemented with their participation.

28. The Bank viewed land ownership and natural resources management; technical assistance and training; basic investment in education, health and other aspects of human capital that were adapted to indigenous peoples and their cultures; and better access to goods and services, including financial resources, as closely related factors which warranted special attention in tackling the poverty and marginalization of Latin America's indigenous people. In addition to directly financing projects or project components involving indigenous people, the Bank was gradually devoting more resources to training them as a means of institution-building. Activities in that regard included a pilot programme for the training of indigenous people in several Latin American countries, designed to strengthen indigenous organizations and broaden their development options, and projects for natural resources management, legalization and demarcation of indigenous lands, rural planning and community development which targeted or affected indigenous people throughout the region. The Bank had also broadened its definition of target population to include a greater diversity of groups and enable them to participate in and benefit from the development process.

29. Ms. SIBAL United Nations Educational, Scientific and Cultural Organization (UNESCO)) said that UNESCO was providing assistance to indigenous people in drawing up projects to be implemented by both national and international institutions and was implementing projects in support of the Decade's priority emphasis on consolidating cultural identities and values, languages, traditions and forms of social organization. It welcomed the Manila Declaration, adopted on 2 March 1996 at the Global Indigenous and Youth Cultural Olympics/Summit for Peace and Sustainable Development (A/51/293), and had established a unit in its Sector for Culture to monitor activities relating to indigenous people.

30. In response to concerns expressed by indigenous organizations and Member States, UNESCO was stepping up information coordination between divisions and units at Headquarters and in the field in a number of areas. It had also launched a series of workshops for indigenous writers in Latin America, with a view to the publication of an anthology of contemporary indigenous literature to be presented at the 1998 World Conference on Cultural Policies, and was publishing grammar manuals in traditional indigenous languages.

31. UNESCO was supporting several projects presented by indigenous non-governmental organizations in the Pacific region and had convened an international seminar on the Maya cultural, environmental and urban heritage. It had launched a human rights project in collaboration with the Guatemalan Ministry of Education, aimed at training indigenous experts in customary law and disseminating educational radio programmes on human rights. Lastly, it was implementing natural and biological resource conservation programmes and projects through the Man and Biosphere Programme and the People and Plants Initiative. The recent People and Plants Handbook drew attention to the role of indigenous people in managing natural and biological resources.

32. In 1997, UNESCO planned to focus on education for indigenous populations and would seek to involve indigenous people directly in activities affecting them, on a basis of horizontal cooperation among equal partners.

33. Mr. NIKIFOROV (Russian Federation) said that the International Decade of the World's Indigenous People was an important factor in promoting and enhancing respect for human rights and reinforcing the principles of non-discrimination. He hoped that the Decade's programme of activities would be implemented fully and that problems faced by indigenous people in such areas as human rights, the environment, development, education and health would be solved effectively through efforts at the national level and greater international cooperation. Development must be achieved on the basis of mutual respect for and understanding of the partnership between Governments and indigenous peoples.

34. One of the most important tasks of States was to create conditions for equal participation by indigenous people in the administration of State and public affairs and to develop their traditional economic pursuits and national culture. In 1996, the State Duma had adopted a law on the small indigenous peoples of the Russian Federation, which established additional legal guarantees for protecting their interests. His Government had set up the National Organizational Committee for Implementing the International Decade of the World's Indigenous People as a mechanism for carrying out the Decade's programme of activities. Lastly, his delegation considered the draft declaration on the rights of indigenous peoples an important instrument for achieving the goals of the Decade and supported further constructive discussion of the document, as well as efforts by the international community to arrive at the optimum formula for a permanent forum for indigenous people.

AGENDA ITEM 103: ADVANCEMENT OF WOMEN (continued) (A/C.3/51/L.19 and L.21)

Draft resolution A/C.3/51/L.19: Improvement on the status of women in the Secretariat

35. Mr. BALL (New Zealand) introduced the draft resolution on behalf of the sponsors, who had been joined by Albania, Algeria, Antigua and Barbuda, Bahamas, Belgium, Bhutan, Bolivia, Burkina Faso, Costa Rica, Democratic People's Republic of Korea, France, Greece, Guinea-Bissau, Italy, Japan, Kyrgyzstan, Federated States of Micronesia, Morocco, Nepal, Netherlands, Poland, Republic of Moldova, Romania, Samoa, Swaziland, Togo, Trinidad and Tobago, Tunisia, United Kingdom and Viet Nam. The draft resolution was more concise than its predecessors but retained their essential elements. Its objective was to achieve the goal of 50/50 gender distribution by the year 2000 in Secretariat posts subject to geographical distribution, especially at the D-1 level and above. It called upon the Secretary-General to ensure full and urgent implementation of the strategic plan of action for the improvement of the status of the women in the Secretariat, in order to achieve the goal contained in the Beijing Platform for Action for overall gender equality.

36. In paragraph 6 of the draft resolution, the words "administrative instruction ST/AI/412 of 5 January 1996," should be replaced by the words "this report (A/51/304)" and the word "further" should be inserted before "development" in the last line. The following paragraph should be inserted after paragraph 8:

> "Urges the Secretariat to increase the number of women employed in the Secretariat from developing countries, including at the D-1 level and above, particularly those that are unrepresented or

underrepresented, and from other countries that have a low representation of women, including countries in transition;".

37. The sponsors of the draft resolution hoped that it would be adopted by consensus.

38. Mrs. TAVAREZ DE ALVAREZ (Dominican Republic), Mr. NORAPHALLOP (Thailand), Mrs. LEGWAILA (Botswana) and Mrs. EDWARDS (Marshall Islands) said that they wished to join the sponsors of draft resolution A/C.3/51/L.19.

39. The CHAIRMAN said that Afghanistan, Chile, Colombia, Guinea, Jordan, Lesotho, Madagascar, Mozambique, Niger, Nigeria, Sierra Leone, Togo and Zimbabwe had also joined the sponsors of draft resolution A/C.3/51/L.19.

Draft resolution A/C.3/51/L.21: Convention on the Elimination of All Forms of Discrimination against Women

40. Mr. ROSNES (Norway) introduced the draft resolution on behalf of the sponsors, who had been joined by Argentina, Belgium, Bulgaria, Fiji, Germany, Liechtenstein, Panama, Philippines, Poland, Republic of Moldova, Spain and Thailand. The draft resolution, which had been shortened and revised to take account of the Beijing Platform for Action, inter alia, urged all States that had not yet ratified or acceded to the Convention to do so as soon as possible, and emphasized the importance of full compliance by States parties with their obligations under the Convention. It invited States parties to make all possible efforts to submit their reports on the implementation of the Convention in accordance with the guidelines provided by the Committee on the Elimination of Discrimination against Women, and approved the request by the Committee for additional meeting time, within the overall existing budget, to allow it to hold two sessions annually. the sponsors of the draft resolution hoped that, as in the past, it would be adopted by consensus.

41. The CHAIRMAN said that Bolivia, Dominican Republic, Eritrea, Guinea, Hungary, Madagascar, Sierra Leone, Thailand and Zaire wished to join the sponsors of draft resolution A/C.3/51/L.21.

AGENDA ITEM 105: REPORT OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES, QUESTIONS RELATING TO REFUGEES, RETURNEES AND DISPLACED PERSONS AND HUMANITARIAN QUESTIONS (continued) (A/C.3/51/L.12, L.15, L.16 and L.20)

Draft resolution A/C.3/51/L.12: Follow-up to the Regional Conference to Address the Problems of Refugees, Displaced Persons, Other Forms of Involuntary Displacement and Returnees in the Countries of the Commonwealth of Independent States and Relevant Neighbouring States

42. Mr. NIKIFOROV (Russian Federation), introducing the draft resolution on behalf of the sponsors, said that it was designed to implement the decisions taken at the Regional Conference and was the result of long and painstaking work by the countries concerned and the Office of the United Nations High Commissioner for Refugees (UNHCR). The sponsors of the draft resolution hoped that it would be adopted by consensus.

Draft resolution A/C.3/51/L.15: Assistance to unaccompanied refugee minors

43. Ms. WAHBI (Sudan), introducing the draft resolution on behalf of the original sponsors and Bangladesh and Morocco, said that a number of revisions should be made to the text. In the third preambular paragraph, the word "forced" should be inserted before "military recruitment". One paragraph had not been printed, which would have been paragraph 3. That paragraph read: "Expresses the hope that adequate resources will be provided for programmes of identification and tracing of unaccompanied refugee minors." Subsequent paragraphs should be numbered accordingly. New paragraph 4 should be amended to read: "Calls upon the Office of the United Nations High Commissioner for Refugees, in cooperation with other relevant United Nations bodies, to incorporate into its programmes policies which aim to prevent refugee family separation." In new paragraph 7, the word "forced" should be inserted before "recruitment in military forces". The sponsors hoped that the draft resolution would be adopted by consensus.

Draft resolution A/C.3/51/L.16: New international humanitarian order

44. Prince Zeid Raad Zeid Al Hussein (Jordan), introducing the draft resolution on behalf of the original sponsors and Costa Rica, Czech Republic, Togo and Tunisia, said that several paragraphs were the same as in previous years, but a sixth preambular paragraph had been added to reflect the growing scale of humanitarian emergencies and the corresponding increase in the burden on the international community. That paragraph was intended to articulate principles which, through the practice of States and international organizations, had already become norms. The intention was not to downgrade the existing body of humanitarian law and international practice, but rather to strengthen them through adjustment to new realities.

45. Some revisions needed to be made. In paragraph 4, the words "including local and regional capacity-building to respond to humanitarian problems and the search for more effective measures to increase international cooperation in the humanitarian field" should be added after the word "concerned". In paragraph 5, the words "in a comprehensive manner" should be inserted after the word "report".

46. The draft resolution had no programme budget implications and his delegation would appreciate a more comprehensive report from the Secretary-General on the item at the fifty-third session. The sponsors hoped that the Committee would adopt the draft resolution without a vote.

Draft resolution A/C.3/51/L.20: Office of the United Nations High Commissioner for Refugees

47. The CHAIRMAN informed the Committee that the draft resolution had no programme budget implications.

48. Ms. NEWELL (Secretary of the Committee) made a number of oral revisions to the text of the draft resolution as it appeared in document A/C.3/51/L.20. The fourth preambular paragraph should read "Commending the High Commissioner and her staff for the competent, courageous and dedicated manner in which they discharge their responsibilities," and a new fifth preambular paragraph should

be inserted, to read: "Paying tribute to those staff members who had endangered or lost their lives, and emphasizing the urgent need for effective measures to ensure the security of staff engaged in humanitarian operations,". In paragraph 8, the words "under the terms of" should be replaced with the words "for reasons enumerated in". In paragraph 12, the words "adoption of" should be replaced with "conclusion on". In paragraph 17, the words "through bilateral agreements" should be deleted. In paragraph 18, the words "and to fulfil" should be replaced with "as well as". In paragraph 20, the words "developing countries and" should be inserted between the words "in particular" and "those".

49. Mr. WILLE (Norway) announced that the following countries had joined the sponsors of the draft resolution: Afghanistan, Albania, Bosnia and Herzegovina, Brazil, Bulgaria, Costa Rica, Cape Verde, Chad, Congo, Croatia, Dominican Republic, France, Ghana, The former Yugoslav Republic of Macedonia, Malta, Mozambique, Nepal, New Zealand, Niger, Nigeria, Peru, Poland, Sierra Leone, Solomon Islands, Swaziland, Thailand and Zaire.

50. Draft resolution A/C.3/51/L.20, as orally revised, was adopted.

51. Mr. YIP (Singapore) said that his delegation had reservations with regard to paragraph 3 of resolution A/C.3/51/L.20. Singapore had never recognized an unrestricted or automatic right to asylum. Moreover, paragraph 3 did not accurately reflect contemporary international practice on the right to asylum, which in recent years had developed towards a more restricted and qualified interpretation. In her statement to the Third Committee at the fiftieth session of the General Assembly, the United Nations High Commissioner for Refugees had noted "a decline in the willingness of States to grant asylum, even on a temporary basis."

52. Current mass population movements were the result of a number of factors which were new, structural features of the international system and would not go away, such as the end of the cold war and the globalization of the world economy. In order to cope with the consequences of those structural changes, countries in both the developed and the developing world were beginning to adopt more restrictive practices. All international norms evolved in response to changing economic and political conditions, and the principle of asylum was no exception. He therefore found it puzzling that certain developed countries should insist on the unqualified reiteration of a principle that they themselves denied in their national practice. It was better to acknowledge the reality of changing international practice than to pretend that the reality had not changed. Too great and persistent a divergence between principle and practice would only lead to growing cynicism and, ultimately, to the complete rejection of the principle in question.

53. Ms. WAHBI (Sudan) said that her delegation would have liked to sponsor the resolution, but had been unable to do so, in view of relations between UNHCR and the Sudan and the language used in the resolution with regard to UNHCR. However, she wished to stress her support for the resolution.

The meeting rose at 12.10 p.m.

UNITED NATIONS

General Assembly

FIFTY-FIRST SESSION

Official Records

THIRD COMMITTEE
30th meeting
held on
Friday, 8 November 1996
at 3 p.m.
New York

SUMMARY RECORD OF THE 30th MEETING

Chairman: Mrs. ESPINOSA (Mexico)

CONTENTS

AGENDA ITEM 106: PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of the publication* to the Chief of the Official Records Editing Section, room DC2-794, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

Distr. GENERAL
A/C.3/51/SR.30
24 September 1997
ENGLISH
ORIGINAL: SPANISH

96-81977 (E)

The meeting was called to order at 3.20 p.m.

AGENDA ITEM 106: PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN (A/51/41, A/51/90, A/51/306 and Add.1, A/51/385, A/51/424, A/51/456, A/51/492)

Special presentation of the report on the impact of armed conflict on children (A/51/306 and Add.1)

1. Mr. RAZALI (President of the General Assembly) said he was pleased to be able to participate in the presentation of the report on the impact of armed conflict on children (A/51/306 and Add.1), though there was little pleasure to be derived from the content of that important study when one considered the immense brutality that both individuals and Governments inflicted on the most innocent and vulnerable beings.

2. The natural instinct to protect and nurture children ran so deep in all societies and at all times that only with a mixture of bewilderment and horror could one appraise the extent to which they had been betrayed and how much needed to be done to protect the most basic of children's rights, the right to life. The moral conscience rebelled at the use of children in wars and violent conflict, in violation of universal values.

3. Unfortunately, delegations became used to hearing the facts and figures concerning the various injustices that were committed, and it became an automatic reflex to present reports, adopt resolutions and plan programmes. In the current case, that was not enough. It was vital that the United Nations should move beyond the prescription of solutions; it must force the necessary political will to implement actions that would halt the brutal treatment of children. That could and must be done.

4. Actions to protect children's rights in armed conflict would only be successful if they were accompanied by an outpouring of moral outrage against the forces which bore the greatest responsibility for crimes against children. He wished to underline the primary responsibility of Governments and policy-makers in both developed and developing countries and to single out the role of the arms trade, not only in catalysing aggression but in perpetuating and profiting from violence and suffering.

5. It was time for Governments and societies to declare themselves firmly in favour of regulation of the arms trade and to ask why the United Nations Register of Conventional Arms remained a virtually blank piece of paper. It was distressing to recognize that Governments were more concerned about the rights of arms manufacturers - on the pretext that they were protecting jobs - than about protecting the rights of people, and above all of children, to live free from the fear of armed conflict or violence. That was an intolerable abdication of government responsibility.

6. The report on the impact of armed conflict on children was testimony to the collective inability to protect children from the various consequences of armed conflict. Governments had failed to harness the necessary financial and human resources and had not demonstrated the compassion, commitment and tenacity

required to fulfil their moral, political and social obligations to children. The argument as to whether a better world should be achieved by individual efforts or collective action no longer had any real point, because they were two sides of the same coin: no one could do anything without help or inspiration from others. The international community could find the compassion and tenacity needed to protect children all over the world. All it required was the sacrifice of time, energy and commercial profit, so that no one would ever again be haunted by the anguished faces of children caught in violent conflict and by the cries of those orphaned and maimed.

7. That crisis of conscience must permeate schools, workplaces and legislative assemblies. Compassion and justice could only flourish when people and Governments cherished them, and the only way they could do that was to take the individual and collective responsibility for preventing such terrible cruelty from occurring.

8. The SECRETARY-GENERAL said that for the first time the international community had a comprehensive appraisal of the plight of children caught in armed conflict, which was a vital contribution to humanity's long quest for peace. The study of the impact of armed conflict on children (A/51/306 and Add.1) demonstrated the centrality of children and their rights to the peace and security agenda and to political, military and humanitarian affairs. The study was likewise an important contribution to the set of principles of international cooperation that had evolved over three centuries and was aimed at preventing conflicts, limiting the brutality of war and providing help to its victims. The study also posed a challenge to the way in which the United Nations system responded to violations of children's rights in situations of armed conflict.

9. The study was the outcome of extensive and wide-ranging consultations, including workshops in every region of the world, field visits to conflict zones, thematic studies by experts on a variety of disciplines, discussions among eminent personalities, and consultations with Governments, non-governmental organizations, armed opposition movements and children themselves. Between the lines of that document would be heard the urgent cries of children caught in situations of armed conflict. That alone was a much-needed achievement. But the study provided more than just facts and analysis. It proposed an agenda for action to improve the protection and care of children and prevent the outbreak of conflict.

10. In the preceding month, on reporting to the General Assembly on the progress made since the World Summit for Children, he had noted that investing in children was the road to sustainable development. However, children would also open the way to peace. The faces of children must be the emblems on the banners of the new peace movements that were needed to stop the proliferation of war and hatred. The world must refuse to inflict upon new generations the atrocities and cruel deprivations that the current century had inflicted and continued to inflict on children in all parts of the world, to its collective shame.

11. He expressed the deepest concern about the starvation threatening children in eastern Zaire and about the situation in the Great Lakes region of Central Africa, where at least 1 million refugees, mostly women and children, were on the move amidst total insecurity and acute deprivation. Immediate application

of the wide-ranging recommendations made in the report under consideration would go a long way towards alleviating the suffering of the children involved and would also help to accelerate the achievement of longer-term solutions to the complex problems of the subregion.

12. He appealed to Member States to consider carefully every one of the recommendations contained in the study and to ensure their effective implementation. He urged Member States, the United Nations system and civil society to join together to seek ways to create for children a zone of peace in a world moving decisively away from war.

13. Ms. MACHEL (Expert appointed by the Secretary-General), introducing the report on the impact of armed conflict on children (A/51/306 and Add.1), said that the report, prepared pursuant to General Assembly resolution 48/157, was testimony to the millions of children who had been killed, injured and permanently disabled as a result of armed conflicts and was also testimony to the fundamental crisis of civilization. Armed conflicts showed that the international community had failed to protect and cherish its children.

14. The preparation of the study had given rise to hope that the problem might be solved because children would be a unifying force among diverse groups. Much hard work had been done to relieve the suffering of children who were victims of conflict, but much more needed to be done. But providing information about the numbers of children who were killed and wounded or died of malnutrition and disease, or about the destruction of crops and the heavy toll on children, described only one part of a larger phenomenon. Many current conflicts lasted the length of a childhood. The impact of many conflicts was invisible. Numbers could not measure emotional and psychological trauma and statistics could not quantify the suffering and despair or describe the pain and alienation of children whose trust in adults had been shattered and whose world view had been destroyed.

15. For too long those consequences had been tolerated as unfortunate but inevitable side-effects of war. Yet the reality was that children were no longer incidental victims but the targets of conscious and deliberate decisions made by adults. The majority of conflicts were characterized by the manipulation of ethnicity and religion to serve personal or narrow group interests and by the masking of the root causes that had contributed to the disintegration of public order and weakened State institutions.

16. The proliferation of inexpensive weapons had also helped to change warfare, since it allowed the warring parties to maintain a state of armed conflict almost indefinitely. Such weapons were so simple that even a 10-year-old child could use them, which meant that adults exploited children as combatants through conscription, kidnapping and other means; there were also children who voluntarily joined one side in order to survive or defend their families. Many were obliged to take part in acts of extreme violence, often against their own communities.

17. She urged States to adopt the draft optional protocol to the Convention on the Rights of the Child which prohibited the recruitment and participation of

children under the age of 18 in armed conflicts. A global consensus to reject such thoughtless manipulation of children must be formed.

18. She welcomed the progress made in implementing the international ban on the use, production, trade and storing of anti-personnel mines. That was not enough, however, since children needed protection from the more than 110 million mines spread around the world. For that reason, she recommended a programme with three objectives: mine clearance as a humanitarian task; making children and women aware of the danger posed by mines; and child-centred rehabilitation.

19. Sexual exploitation and other forms of violence against women and children as tactical weapons in armed conflicts must be prosecuted as breaches of international law. Mandatory training must be given to all military personnel, including peacekeeping troops, on their responsibilities towards children and women, and emphasis must be placed on the psychosocial and reproductive health needs of girls and women, especially in camps for refugees and displaced persons.

20. Governments bore the primary responsibility for protecting children from the impact of armed conflict and, indeed, for preventing conflicts from occurring. Her report testified to the need for greater political commitment and increased international cooperation as well as the concerted support from the United Nations system and civil society in collectively protecting children from the atrocities of war.

21. War violated every right of the child, and any injury to children was an affront to the humanitarian impulses that had inspired the Convention on the Rights of the Child. Yet the Convention and other international instruments would only be effective if they were widely known, understood and implemented at all levels. In armed conflicts, children must be treated as a priority concern in all humanitarian, development and human rights activities. Effective reporting of violations of children's rights must be integrated into existing mechanisms; where such mechanisms did not exist, they should be established as quickly as possible.

22. The concept of humanitarian assistance must be broadened to cover the protection of children's rights, even in situations of armed conflict. To that end, measures to promote the health, nutrition, psychosocial well-being and education of children must be taken and linked to children's post-conflict recovery, and the needs of children and women should be at the heart of all action to resolve conflicts and implement peace agreements.

23. Lastly, the report called for measures to address the root causes of violence. The international community must shake off its political inertia and take all possible steps to prevent armed conflicts from escalating. For example, urgent and decisive action must be taken to prevent further genocide in the Great Lakes region.

24. It was important to continue collecting information about the situation of children and policies adopted to improve it. Doing so would help in setting priorities, assessing the progress achieved and studying the difficulties encountered in the process. For that reason she had recommended in her report the appointment of a special representative of the Secretary-General for

children in armed conflict who would work closely with regional bodies, Governments and civil society in the implementation of the recommendations contained in the report.

25. The international community must do everything it could to protect children, give them a better future and place them at the centre of agendas for human rights, development and peace and security. However, the protection of children in armed conflicts required greater political will, vigilance and cooperation. The international community should therefore seize the opportunity to turn its moral outrage into concrete action.

26. Ms. BELLAMY (Executive Director of the United Nations Children's Fund (UNICEF)) said that the report on the impact of armed conflict on children prepared by the expert of the Secretary-General held out hope to all children, but especially to children caught in armed conflict, because it said that the world was not willing to stand by while children paid the price for the inability of adults to resolve disputes peacefully.

27. UNICEF had been founded 50 years earlier to help a generation of children devastated by a terrible cold war. Yet half a century later, situations of armed conflict still had to be confronted. UNICEF was reliving the suffering of children affected by war in many parts of the world, from eastern Zaire to northern Uganda, from Bosnia to Liberia, but it realized that so much more could be done.

28. To that end, it had collaborated with the Centre for Human Rights in preparing and financing the study and had issued a children's anti-war agenda as part of the State of the World's Children report. UNICEF endorsed the recommendations made in the report by the expert of the Secretary-General and urged the international community to start implementing them as soon as possible, and in the Great Lakes region first of all.

29. In particular, UNICEF believed that the following recommendations should be implemented on an urgent basis: the banning of anti-personnel landmines; ending the recruitment and participation of children as soldiers; strengthening education before, during and after conflicts; stopping gender-based violence and sexual exploitation; greater attention to refugee and internally displaced children; and the appointment of a special representative of the Secretary-General, who would complement the work of UNICEF on the question of children in situations of armed conflict.

30. Lastly, UNICEF appealed to all States to stop the atrocities, protect children, allow aid to reach children, treat both their physical and psychological wounds, teach peace and tolerance and address the roots of conflict.

31. Mr. SPETH (Administrator of the United Nations Development Programme (UNDP)) expressed support for the observations contained in the report of the expert of the Secretary-General, particularly the statement that children's participation in armed conflicts was intolerable. Today, armed conflicts affected many more civilians than military personnel, and the former included large numbers of children.

32. The United Nations Development Programme (UNDP), which strove to help resolve crises through its development activities, had established an Emergency Response Division and was allocating additional resources to development operations in regions affected by crises. For example, it provided assistance for the repatriation of children and their reunification with their families and prompt post-conflict community development in a number of countries, including Lebanon, Afghanistan, Tajikistan, Bosnia and Herzegovina, El Salvador, Somalia and Cambodia. In addition, in Angola, it was assisting with the demobilization, disarming and reintegration into society of former combatants, including child soldiers, as it had done earlier in Mozambique. It also assisted with demining activities.

33. UNDP regretted that the international community did not always make an effort to improve the status of children in conflict situations. Accordingly, it urged all States to mobilize additional resources in response to crisis situations and adopt preventive measures to tackle the underlying causes of conflict, including poverty and inequalities. In that regard, the international community should bear in mind that human-centred sustainable development was an element of conflict resolution.

34. Mr. FALL (Assistant Secretary-General for Human Rights) said that half of the persons who became refugees and displaced because of armed conflict were children, the number of child soldiers was continuing to rise and many children had suffered psychological trauma as a result of the experiences they had endured during conflicts. The gravity of their situation posed serious doubts regarding their future development, and it was therefore essential to analyse the causes of atrocities committed against children in times of conflict and make specific and innovative recommendations to alleviate their suffering and improve their lot. In recognition of that need, the Committee on the Rights of the Child and the World Conference on Human Rights had called for the report which had just been introduced, which underscored the necessity of implementing humanitarian law and protecting children in war zones, responding to their needs and raising the recruitment age for service in armed forces.

35. The report also underscored the importance of international cooperation in carrying out activities to protect the rights of children. To that end, the Centre for Human Rights would cooperate with other organs in implementing the report's recommendations, and the Committee on the Rights of the Child would be the focal point for the coordination of international cooperation in that field. In addition, steps would be taken to promote the systematic study of the issue in various organs established pursuant to human rights treaties and through other appropriate machinery, with a view not only to limiting the impact of armed conflicts, but also to assisting countries during the reconstruction phase. In that regard, the Office of the United Nations High Commissioner for Refugees (UNHCR) already had begun consultations to formulate a special programme to enhance the implementation of the provisions of the Convention on the Rights of the Child. Accordingly, he hoped that the report would serve as a point of departure to encourage international organizations and Governments to prevent the rights of children from being violated in situations of armed conflict.

36. Mr. JESSEN-PETERSEN (Director, New York Liaison Office, Office of the United Nations High Commissioner for Refugees) said that UNHCR currently was

providing assistance to 26 million persons who had become refugees and displaced persons as a result of wars, civil conflicts and massive human rights abuses. Over half of those persons were children and adolescents.

37. The study on the impact of armed conflict on children therefore offered a unique framework in which to examine what humanitarian action meant in a post-cold-war world. In that regard, the Convention on the Rights of the Child was the guiding force behind UNHCR's policy and guidelines on refugee children. Children's rights were emphasized in UNHCR staff training programmes in order to ensure that staff members were able to identify violations of those rights. The training also enabled members of emergency response teams to assess threats to the rights of women and children in certain situations. UNHCR believed that measures to prevent sexual violence, discrimination in the delivery of relief commodities and recruitment of children into armed forces must be at the forefront of emergency planning and programming. To that end, UNHCR, together with UNICEF and the Save the Children Alliance, planned to launch new training programmes for Governments, the United Nations and non-governmental organizations.

38. In recognition of the importance which the report attributed to education as a means of assisting children who had escaped from war zones, UNHCR would allocate budgetary resources to enable education activities to commence as early as possible in future emergencies.

39. In an era of multiple emergencies, funding problems impeded efforts to guarantee education to refugee boys and girls. UNHCR was working with UNICEF and other organizations to develop appropriate programmes and mobilize the necessary additional funding. The report documented how adolescents were ignored in activities undertaken in response to armed conflicts and population movements. In view of the pandemic of AIDS - 60 per cent of HIV infections incurred in young people between 15 and 24 years of age -, that neglect could be deadly. In partnership with some 50 agencies, UNHCR already had begun to strengthen its activities to provide comprehensive reproductive health programmes, although it was essential to accelerate those critical health services.

40. With respect to child soldiers, UNHCR welcomed the study by Ms. Machel and supported the endeavours of the Working Group on Children in Armed Conflict which was drafting an optional protocol to the Convention on the Rights of the Child concerning the involvement of children in armed conflicts, as well as the recommendation that UNICEF, UNHCR, the International Committee of the Red Cross (ICRC) and non-governmental organizations should launch a global campaign to prohibit the recruitment of children under 18 years of age in armed forces.

41. Landmines had multiple dreadful effects and, among other things, impeded the return of hundred of thousands of displaced and refugee children to their homes. The study provided yet more compelling evidence for action by Governments to impose a total ban on landmines.

42. The Memorandum of Understanding between UNICEF and UNHCR provided opportunities to promote and coordinate programming for women, children and adolescents. Although the machinery was in place to ensure a proper and timely

response in order to protect women and children, the challenge remained to ensure that respect for their rights was an integral part of the programming and activities of the two organizations. The study and, in particular, its recommendations, pointed the way to follow.

43. Mrs. POMETTA (Vice-President, International Committee of the Red Cross) said that the multidisciplinary report submitted by Ms. Graça Machel invited the international community not only to reflect but also to embark on a general mobilization in favour of children in situations of armed conflict. The International Federation of Red Cross and Red Crescent Societies and the International Committee of the Red Cross (ICRC) had adopted a plan of action designed to prohibit the recruitment of children under 18 and to facilitate the return to civilian life of child soldiers. A campaign against mines had also been initiated.

44. The ICRC programme of activities had two priorities, namely, to provide victims with immediate and urgent assistance and to seek mechanisms to improve their protection. The specific programmes of ICRC gave priority to the civilian population and very directly to children, inter alia by keeping a register of unaccompanied children, reuniting families and providing medical assistance.

45. The campaign to promote awareness of human rights and humanitarian principles was also worth mentioning for, unless discipline was maintained among the armed forces and unless universal ethical principles were upheld, protection of victims could never be established on a solid basis. It must be remembered that such protection, which presupposed ongoing dialogue between the warring parties, was becoming increasingly complex and dangerous owing to the effects of the political, legal and moral vacuum which Ms. Machel had denounced.

46. The abuses and violations that were occurring almost throughout the world were the result of lack of will among the warring parties or among Governments to apply the relevant legal forms. There could be no respect for the principle of protection of the civilian population if the military strategy was designed to exterminate that same population. Regrettably, the international community was a helpless witness to those aberrant practices; it was, nonetheless, essential to remember that the States Parties to the Geneva Conventions had undertaken to respect that principle and to ensure that it was respected. Humanitarian assistance could not take the place of action by States; that was why ICRC energetically supported the establishment of an international criminal court, for allowing war criminals to go unpunished made it difficult to restore a climate of confidence, peace and stability. There was also need for other measures, such as prohibition of the production and utilization of anti-personnel mines and non-proliferation of light weapons in regions of open or latent conflict.

47. Of course, the difficulties involved in achieving those objectives should not be underestimated; the spread of fighting in the Great Lakes region should serve as a warning. Although the world was currently facing a sombre and tragic situation there was, nonetheless, hope; the hope lay in children themselves and in the mobilization that was occurring around children. The humanitarian activities carried out by the movement of Red Cross and Red Crescent Societies had been prompted precisely because people had been moved by the battle of Solferino and the fate of its victims.

48. Mrs. RODRIGUES (Mozambique) said that the situation in which many children currently found themselves was alarming, particularly in developing countries such as Mozambique where, because of abject poverty, they were denied even the minimum that they needed in order to grow. Nevertheless, children caught in armed conflict represented one of the most serious challenges of modern times, not only because they lacked protection but because they were both instruments and targets of war. Two million children killed and six million seriously injured or permanently disabled in the past decade were indeed cause for grave concern to the international community. Currently children were dying in Angola, Somalia, Liberia, the Great Lakes region, Afghanistan and in many other areas.

49. The General Assembly had decided to tackle that complex, multidimensional problem by adopting resolution 48/157 which requested the Secretary-General to appoint an expert to undertake a comprehensive study of the question with the support of the United Nations Centre for Human Rights and the United Nations Children's Fund (UNICEF). Mozambique took great pride in the fact that one of its best daughters had been chosen by the Secretary-General to conduct the study; the appointment represented a recognition of the role played by Mrs. Graça machel in Mozambique and at the international level.

50. The critical situation in which large numbers of Mozambican children had found themselves during the long years of conflict in that country and the challenges that had followed had been a great source of inspiration for Ms. Machel. It should also be remembered that Ms. Machel came from southern Africa, a region where millions of children known as "children on the front line" had been innocent victims of many types of conflict. The consequences of the tragedy left by the apartheid system in South Africa still persisted.

51. The peace process in Mozambique had allowed for the return of around 1.7 million Mozambicans, mostly children and women, thanks to a repatriation process which was considered the largest one of those carried out by UNHCR in recent years. Reintegration, resettlement, reconstruction and development were the main elements of the five-year programme of the Government of Mozambique, which had been adopted after the first general elections. With the support of the international community, Mozambique was creating the minimum conditions for the most vulnerable population, children. Some of those children had already been reunited with their families or, in the case of those who had lost their parents, had joined new families.

52. In Mozambique peace had been the result of the peoples' determination to live together in diversity, in unity and in harmony. The sustainability of the reconciliation process and of the stability that Mozambique currently enjoyed lay to a large extent in the development, protection and education of the men and women of tomorrow, namely children. In order to tackle the consequences of the conflict, Mozambique had established the Ministry for Coordination of Social Action, an institution which was responsible for coordinating all activities in the social sphere. It had also established the Forum for Social Dialogue where government, trade unions, private entrepreneurs and civil society in general debated key issues of great concern to the country, particularly those related to the social and economic programme.

53. Ms. Machel's study was wide and all-embracing; it sought to assess the current reality and prevailing trends and to find solutions as well as ways of preventing a recurrence of such situations. It presented the magnitude of the problem in all its facets and made well-balanced, action-oriented recommendations that were applicable to the different kinds of conflict. Mozambique supported the recommendations and urged all Member States to do likewise and to adopt follow-up actions and appropriate mechanisms to implement what was agreed upon.

54. While Member States and their respective Governments bore the primary responsibility in that regard, the assistance of the United Nations system, international regional and subregional organizations, non-governmental organizations and civil society in general was also needed. Mozambique supported the recommendation regarding the appointment of a special representative of the Secretary-General on children and armed conflict.

55. Mozambique strongly reaffirmed its commitment to abide by agreements and international instruments to promote and protect the rights of the child; it would work with other members of the Southern Africa Development Community (SADC) to seek the most appropriate ways for follow-up action. The establishment of the SADC Organ on Defence and Security as the mechanism for conflict prevention, management and resolution was, certainly, a move in the right direction. She called for greater efforts at the level of the Organization of African Unity to maintain the momentum generated by the regional consultation on Ms. Machel's study. National, regional and international programmes must be guided by the motto "Children first".

56. Mr. CAMPBELL (Ireland), speaking on behalf of the European Union, reviewed the issues tackled in Ms. Machel's report and said that they were all cause for grave concern in the international community. Recent events in eastern Zaire further underscored the extent of the problem. The report had particular relevance, impact and force because of the way in which it had been prepared, in collaboration with Member States, organs and organizations of the United Nations and relevant governmental and non-governmental organizations, and because it included testimony from children themselves.

57. He strongly supported the statement made in the report that children simply should not participate in wars; in his statement during the general debate on the item relating to the rights of the child he would deal with the various recommendations in detail. He also supported the recommendation regarding the appointment of a special representative of the Secretary-General on children and armed conflicts with an appropriate mandate. Ms. Machel's report should serve as a basis for a united effort to alleviate the impact of armed conflicts on children and it should be the subject of appropriate follow-up throughout the United Nations system, since it was, above all, a call to action.

58. Mr. CATARINO (Portugal) said that the report prepared by Ms. Machel was exceptional in many ways. The widespread participation in its drafting had helped to place children at the centre of the political stage at both the national and the international levels. The report had irrefutably raised awareness about the situation of children in armed conflicts and had generated a wave of support to improve their lot decisively. A single document had addressed various areas of concern that had never before been considered in an

integrated way, and had shown the importance of coordinating actions to address the issue.

59. His delegation supported the recommendation that a special representative should be appointed to follow up on those actions and to act as a standing observer and coordinator of efforts by Governments, United Nations specialized agencies and bodies, and intergovernmental and non-governmental organizations. The report stressed the importance of the Convention on the Rights of the Child and other relevant international humanitarian and human rights instruments. It was essential to ensure that those instruments were respected and became an ever-present ethical and legal guideline for the activities of all concerned, including United Nations peacekeeping personnel.

60. Mr. LEGWAILA (Botswana) said that the contemporary world was being sucked into a moral vacuum where children were slaughtered, exploited as soldiers, starved and exposed to extreme brutality. Human beings could not stoop any lower. For some time there had been a need for a report on children in armed conflicts, to put on record everything that had long been known, although nothing had been done to relieve a desperate situation. The report was a monument to the neglect that had prevailed so far.

61. The television showed pictures of child soldiers in Liberia, Somalia and Angola, walking around without shirts or shoes, shooting each other. They would one day be men, a generation of adults who had grown up in a world of bloodshed and war. The Secretary-General could not have chosen a more suitable person to write the aforementioned report than Ms. Machel, as she had experienced those horrors at first hand. It was necessary to redouble efforts to allow children to enjoy their childhood and follow their studies, so that they would become well-balanced adults who could tell the difference between right and wrong and would respect the sanctity of human life.

62. His delegation had requested the members of the Security Council to invite Ms. Machel to present her report to that body, a request to which the Security Council had willingly acceded.

63. Mr. PÉREZ-OTERMIN (Uruguay) said that the most appropriate response the international community could make to the report was to implement its recommendations. His delegation had been one of those which had argued in favour of the General Assembly adopting resolution 48/157 on the protection of children affected by armed conflicts. The report under consideration was an appeal to the conscience of mankind. Specific measures must be adopted to protect children in situations of armed conflict. In his view, it would be impossible to achieve the objectives of the Charter of the United Nations, such as maintaining international peace and security, without development. To make that possible, it was vital to build a future in which the well-being of children would be always kept in mind and they would be protected from physical and psychological harm. His delegation would be closely following the work of implementing the recommendations of the report.

64. Mr. HORMEL (United States of America) said that the recommendations in the report before the Third Committee merited the urgent attention of the international community. The measures to be taken should be based on

international legal precedents and should be in line with national legislation. Their impact on resources should be borne in mind.

65. One of the most important recommendations in the report was that the Secretary-General should appoint a special representative for children in situations of armed conflict. Although he believed that the recommendation deserved support, he thought that it would be worth studying the possibility of addressing the issue through existing United Nations mechanisms and bodies, to avoid overextending resources and activities.

66. As for the information in the report on the tragic consequences of landmines for children in many countries, his Government has been pushing for some time for the signing of an international agreement prohibiting the use, stockpiling, production and transfer of anti-personnel landmines; he hoped that negotiations on the subject would be concluded as soon as possible.

67. He also hoped that the report would act as a catalyst for new actions by the international community to protect children in situations of conflict. His Government was resolved to help to draw up the measures necessary to solve the problems broached in the report.

68. Mr. AQUARONE (Netherlands) said that, in his view, the report would help to deepen the awareness of Governments, non-governmental organizations and United Nations agencies about the effects of armed conflicts on children, and should therefore be distributed both within and outside the United Nations system.

69. Some of the recommendations in the report fell within the purview of other United Nations bodies, and should therefore be brought to their attention. The Third Committee was already considering those which fell within its own sphere of competence. It was clear that the thorough implementation of the report's recommendations required the appointment of a special representative of the Secretary-General, and so his delegation supported the report's proposal to that effect. In his view, the report was the most important document to be considered by the Third Committee at the current session.

70. Mr. CHE CRECY (Cameroon) said that his delegation supported the recommendations in the report under consideration. Children must be protected against the physical and psychological consequences of armed conflicts, so that when they became adults they did not become a source of even greater problems for mankind. The African countries believed that urgent measures were needed to confront the problem, which was why the recent meeting of the Organization of African Unity held in Cameroon had been partly devoted to addressing the problem of children in situations of armed conflict.

71. Mrs. CASTRO de BARISH (Costa Rica) said that her delegation agreed with the findings in the report under consideration that children were increasingly becoming the direct victims of armed conflicts, particularly as a result of the availability of all kinds of light weapons and the presence of great many unexploded landmines. On that question, her Government had always been in favour of eliminating those arms and had supported proposals to reach an international agreement which would prohibit their manufacture and use.

72. Her Government supported all the proposals in the report. It also believed that an optional protocol should be added to the Convention on the Rights of the Child related to the involvement of children in armed conflicts, and had proposed an amendment to the Convention which would raise from 10 to 18 the number of experts on the Committee on the Rights of the Child, so as to improve the monitoring of the realization of the obligations undertaken by States parties under the Convention.

73. Mr. NDIKUMANA (Burundi) said that the contents of the report under consideration were so eloquent that an adequate follow-up was vital. He found its recommendations very useful, particularly those on the elimination of landmines, the prevention of conflicts and education for peace. Children should be protected from the effects of war, which was often the result of situations of extreme poverty, as in the case of the current conflict in the Great Lakes region of Africa, and which affected developing countries much more frequently. Concerted action by the international community was needed if the basic causes of those problems were to be eliminated.

74. Mr. SERGIWA (Libyan Arab Jamarihiya) said that all the recommendations contained in the report under consideration should be implemented. His delegation believed that the recommendations regarding economic sanctions imposed on countries were particularly important. As indicated in paragraph 130 of the report, the international community should not impose economic sanctions without first assessing their impact on children and other vulnerable groups of society. Similarly, as indicated in paragraphs 134 and 135 of the report, the Security Council, in imposing sanctions, should clearly define the circumstances under which they should be lifted if they failed to produce the desired results, or amended if they had a negative impact on children and vulnerable groups of society.

75. Ms. MACHEL (Expert appointed by the Secretary-General) thanked delegations for their reception of her report, the content and recommendations of which were the fruit of a broad and lengthy process of consultations at the regional and local levels. That process had included visits to many communities and involved the direct participation of women and children, and of interested persons and agencies.

76. In her view, the proposal to appoint a special representative of the Secretary-General for children in armed conflict was extremely important. The proposal would not result in the fragmentation of activities; on the contrary, it would promote cooperation between Governments, the United Nations system and civil society, in particular, non-governmental organizations, and would help to coordinate their work. The concern about the financial implications of the special representative mechanism was understandable, but she believed that they would be minimal, since it would function as a small focal point, analogous to that of the Representative of the Secretary-General on Internally Displaced Persons.

77. Moreover, it would be of a temporary nature, since its work would consist merely of supporting the formulation of plans for the implementation of the recommendations contained in the report, and it could be disbanded once activities were initiated at the institutional level. She took it as a positive

sign that, as one delegation had pointed out, Member States had already begun consultations on the question.

78. The CHAIRMAN congratulated and thanked Ms. Machel and the entire team which had participated in the drafting of the report on the impact of armed conflict on children. In that connection, she highlighted the importance and the necessity of carefully analysing the proposals contained in the report, and urged all States to give due consideration to its content.

General debate

79. Ms. BELLAMY (Executive Director of the United Nations Children's Fund) said that, in view of its intensity, the issue of children and war demanded the attention not only of UNICEF but also of the entire international community. However, it must not be forgotten that, even in times of peace, children faced major threats to their development and survival, which ranged from communicable diseases, malnutrition and illiteracy to violence and prostitution. The chief task of UNICEF, in cooperation with Governments, non-governmental organizations and other United Nations agencies, was to improve the lives of those children throughout the world and not only in countries affected by armed conflict. In that context, she wished to draw the attention of the Third Committee to the report of the Secretary-General of the United Nations on progress at mid-decade on implementation of the objectives of the World Summit for Children (A/51/256).

80. Since 1990, impressive progress has been achieved at the national and regional levels in the prevention of childhood disease and mortality. However, it was important to recognize that special efforts must be made in order to attain the goal of reducing them even further. There was also a greater sense of urgency concerning the protection of children in especially difficult circumstances. It would require a combination of strong political will and increased financial resources in order to address those problems. Political will had been demonstrated by the almost universal ratification of the Convention on the Rights of the Child and in its use by Governments as a framework for their national programmes for children and their cooperation with UNICEF. Children's basic needs in the areas of health, good nutrition, education, safe water and sanitation were already being viewed as rights. From that perspective, the achievement of the goals of the World Summit at mid-decade could contribute to the implementation of the Convention on the Rights of the Child.

81. The importance of the partnership between UNICEF and Governments in formulating programmes of cooperation between the United Nations and donor and recipient Governments in the achievement of concrete and measurable results was the most important lesson to be learned from the review contained in the report. That partnership must be strengthened and expanded in future. UNICEF was working jointly with donor and recipient Governments to promote an increase in the allocation of official development assistance and domestic resources for programmes for children.

82. Mr. FALL (Assistant Secretary-General for Human Rights) said that, by and large, the activities relating to the rights of the child since the previous session of the General Assembly had been carried out in five main areas. The first area had been the implementation of the Convention on the Rights of the

Child and, in particular, the work to promote its universal ratification, which had nearly been achieved.

83. Second, there had been the preparation of the study on the impact of armed conflict on children (A/51/306). Third, there had been the measures adopted by the working groups of the Commission of Human Rights responsible for drafting optional protocols to the Convention on the Rights of the Child on, respectively, the sale of children, child prostitution and child pornography, and children in armed conflict: one of the objectives of the latter was to establish 18 years as the minimum age for military recruitment.

84. Fourth, there had been the work done by the Special Rapporteur of the Commission on Human Rights on the sale of children, child prostitution and child pornography. In that connection, he stressed the convening of the World Congress against Commercial Sexual Exploitation of Children in Stockholm in August 1996. Fifth, there had been the activities of the High Commissioner for Human Rights aimed at strengthening inter-agency cooperation with a view to implementing the Convention on the Rights of the Child, and the initiatives which would culminate in the observance of the fiftieth anniversary of the Universal Declaration on Human Rights, in 1998.

85. Despite the achievements attained in those five major areas, much still remained to be done and it was to be hoped that the Third Committee would continue to focus special attention on the sensitive issue of the rights of the child.

The meeting rose at 5.45 p.m.